

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

**Hon. Hugh B. Scott**

10CR180S

**Order**

STACEY T. SPENCER,

Defendant.

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Before the Court is the Government's motion to quash the subpoena served upon Judge Daniel Palumbo, Olean City Court (Docket No. 45). In a parallel proceeding, Judge Palumbo moved to quash, Palumbo v. Spencer, 11MC76. Both proceedings arise from so much of defendant's motion (Docket No. 10) seeking to suppress evidence seized from defendant's vehicle pursuant to a search warrant issued by Judge Palumbo.

For the reasons stated in the Order entered in the Palumbo v. Spencer proceeding (No. 11MC76, Docket No. 4), the Government's motion to quash (United States v. Spencer, No. 10CR180, Docket No. 45), is **granted**.

So Ordered.

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*/s/ Hugh B. Scott*

Honorable Hugh B. Scott  
United States Magistrate Judge

Dated: Buffalo, New York  
September 23, 2011